IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

Crl.Rev.Pet.No. 2745 of 2007()

CRA.432/2005 of I ADDL. SESSIONS COURT, PALAKKAD
CC.525/2003 of JUDL.MAGISTRATE OF FIRST CLASS COURT-II, PALAKKAD

.....

REVN. PETITIONER: APPELLANT/ACCUSED

SREEKUMAR, AGED 50 YEARS,
S/O.M.GANGADHARAN PILLAI, K.S.E.B. STAFF,
'SREEJA VILASAM', MANIKANDESWARAM,
IRAKUDAM, THIRUVANANTHAPURAM - 13.

BY ADV. SRI.BINDU SREEKUMAR

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE

---

1. P.SUBRAMANIAN, S/O.PARAMESWARAN (L),
'AMBADI', CHINMAYA NAGAR, MELAMURI,
PALLIPURAM P.O., PALAKKAD.

2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR
SRI.K.P.BALAGOPAL

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 14/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

* * * * * * * * * * * * * * * * * * * *

Crl.R.P. No.745 of 2007

* * * * * * * * * * * * * * * * * * * *

Dated: 14-09-2007

ORDER

The accused in C.C. 525 of 2003 on th**e file** of the J.F.C.M-II, Palakkad for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 9607 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

ani.